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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

MAILED

JUN 0 1 2007

Technology Center 2100

Application Number: 09/602,490
Filing Date: June 23, 2000
Appellant(s): KRAFT, REINER

Jon Gibbons Reg. No. 37,333
Scott Smiley Reg. No. 55,627
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 26, 2006 appealing from the Office action mailed May 31, 2006.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Cullis et al	6,539,377	5-2003
Gormley et al	5,628,004	5-1997
Walker et al	5,862,223	1-1999

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims **1-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Culliss (U.S. Pat. No. 6,539,377) in view of Gormley et al (hereinafter, "Gormley", U.S. Pat. No. 5,628,004) and in further view of Walker et al (hereinafter, "Walker", U.S. Pat. 5,862,223).

As per claims **1** and **22**, Culliss discloses a method and computer readable medium of sharing queries in a hub-processing unit coupled to a plurality of information processing unites over a network, the method on the information-processing unit comprising the steps of:

- receiving a Uniform Resource Locator (URL) string from a first user (col. 2, lines 40-43 and col. 5, lines 22-41);

- determining if the URL string represent a query, if the string represents a query performing the sub-steps of (col. 2, lines 40-43 and col. 5, lines 22-41):

 a. storing the query in an information processing unit (col. 3, lines 46-65); and

 b. forwarding the query to a hub processing unit in the event that the first user selects the query for sharing with a second user connected to the hub processing unit (col. 5, lines 66-67 and col. 6, lines 1-14).

Even though Culliss discloses sharing queries between a plurality of clients.

However, Culliss does not explicitly disclose:

- receiving, from a second user, a selection for one of the stored queries for sharing.

Gormley discloses a computer system for creating and managing a database of communication recipients, which processes queries and operates in accordance with users commands including:

- receiving, from a second user, a selection for one of the stored queries for sharing (col. 10, lines 55-67, col. 11, lines 1-9 and lines 33-51).

Given the teaching of Gormley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Culliss by including a multi-user query library to store queries in order to allow a first or second client (user) to select, copy or delete any shared queries within the library to execute and retrieve the query results in a timely and efficient manner.

Cullis in view of Gormley discloses the invention substantially as claims discussed above.

However, Cullis in view of Gormley does not explicitly disclose:

- storing information in an accounting database for awarding the first user for submitting the query for sharing.

Walker discloses a method for managing communications between an expert and an end user including:

- storing information in an accounting database for awarding the first user for submitting the query for sharing (col. 21, lines 64-67, col. 22, lines 1-11 and lines 46-65, Walker discloses an expert user that shares answers with different users and each time the user is satisfied with an expert answer, the expert is awarded with an incentive for sharing answers with other users. The incentives are stored within a database in order to produced and audit trail. Therefore, Walker discloses storing information in an accounting database for awarding the first user for submitting the query for sharing).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify Cullis in view of Gormley by incorporating a database to store information to keep track of all payments/incentives awarded to user in order to produce an audit trail in a timely and efficient manner.

As per claim **14**, Culliss discloses a client information-processing unit coupled via a network with a hub processing unit apparatus for sharing queries comprising:

- an input for receiving a Uniform Resource Locator (URL) string from a first user (col. 2, lines 40-43 and col. 5, lines 22-41);
- a comparator for determining if the URL string represents a query (col. 2, lines 40-43 and col. 5, lines 22-41);

- an interface for storing the query in an information processing unit memory (col. 3, lines 46-65); and
- an output for forwarding the query to a hub processing unit in the event that the first user selects the query for sharing (col. 5, lines 66-67 and col. 6, lines 1-14).

Even though Culliss discloses sharing queries between a plurality of clients.

However, Culliss does not explicitly disclose:

- an input for receiving, from a second user, a selection for one of the stored queries for sharing.

Gormley discloses a computer system for creating and managing a database of communication recipients, which processes queries and operates in accordance with users commands including:

- an input for receiving, from a second user, a selection for one of the stored queries for sharing (col. 10, lines 55-67, col. 11, lines 1-9 and lines 33-51).

Given the teaching of Gormley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Culliss by including a multi-user query library to store queries in order to allow a first or second client (user) to select, copy or delete any shared queries within the library to execute and retrieve the query results in a timely and efficient manner.

Cullis in view of Gormley discloses the invention substantially as claims discussed above.

However, Cullis in view of Gormley does not explicitly disclose:

- storing information in an accounting database for awarding the first user for submitting the query for sharing.

Walker discloses a method for managing communications between an expert and an end user including:

- storing information in an accounting database for awarding the first user for submitting the query for sharing (col. 21, lines 64-67, col. 22, lines 1-11 and lines 46-65, Walker discloses an expert user that shares answers with different users and each time the user is satisfied with an expert answer, the expert is awarded with an incentive for sharing answers with other users. The incentives are stored within a database in order to produced and audit trail. Therefore, Walker discloses storing information in an accounting database for awarding the first user for submitting the query for sharing).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify Cullis in view of Gormley by incorporating a database to store information to keep track of all payments/incentives awarded to user in order to produce an audit trail in a timely and efficient manner.

As per claims **2** and **15**, Culliss discloses:

- wherein the sub-step of forwarding further includes the sub-step of receiving from the user, a selection of a query from a query history list (col. 3, lines 36-51).

As per claim **3** and **16**, Culliss in view of Gormley does not explicitly disclose:

- wherein the sub-step of forwarding further includes the sub-step of storing information in the accounting database for awarding the first user for submitting the query in response to the second user selecting the query from the query history list (col. 2, lines 40-43 and col. 5, lines 22-41).

Cullis in view of Gormley discloses the invention substantially as claims discussed above.

However, Cullis in view of Gormley does not explicitly disclose:

- wherein the sub-step of forwarding further includes the sub-step of storing information in the accounting database for awarding the first user for submitting the query in response to the second user selecting the query from the query history list.

Walker discloses a method for managing communications between an expert and an end user including:

- wherein the sub-step of forwarding further includes the sub-step of storing information in the accounting database for awarding the first user for submitting the query in response to the second user selecting the query from the query history list (col. 21, lines 64-67, col. 22, lines 1-11 and lines 46-65, Walker discloses an expert user that shares answers with different users and each time the user is satisfied with an expert answer, the expert is awarded with an incentive for sharing answers with other users. The incentives are stored within a database in order to produced and audit trail. Therefore, Walker discloses storing information in an accounting database for awarding the first user for submitting the query for sharing).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify Cullis in view of Gormley by incorporating a database to store information to keep track of all payments/incentives awarded to user in order to produce an audit trail in a timely and efficient manner.

As per claims **4** and **17**, Culliss discloses:

- wherein the determining step further includes the sub-step of analyzing the string for a particular character or characters to determine if the string is a query (col. 7, lines 16-23).

As per claims **5** and **18**, Culliss discloses:

- wherein the sub-step of forwarding further comprises the sub-step of appending additional information from the user to the shared query (col. 5, lines 40-52, lines 65-67 and col. 6, lines 1-14).

As per claims **6** and **19**, Culliss discloses:

- wherein the appending step further includes appending additional information comprising category, title or descriptive information (col. 6, lines 51-65).

As per claims **7** and **20**, Culliss discloses:

- wherein the storing sub-step further includes storing the query in an information processing unit wherein the storing is temporary or permanent storage (col. 3, lines 36-55 and col. 7, lines 45-50).

As per claim **8**, Culliss further discloses:

- a step of repetitively processing incoming strings as long as strings are received from the user (col. 5, lines 22-41).

As per claims **9** and **21**, Culliss discloses a method of sharing queries in a hub-processing unit coupled to a plurality of client information processing units over a network, the method on the hub processing unit comprising the steps of:

- receiving a query selected for sharing by a user of a client information processing system (col. 2, lines 40-43 and col. 5, lines 22-41);

- storing the query (col. 3, lines 46-65);
- processing the search requests (col. 5, lines 40-52); and
- receiving from a second user a selection of the query shared by the first user

However, Culliss does not explicitly disclose:

- performing the further sub-steps of:

 a. activating a hyperlink to request a search result set based upon the second user's selection of the hyperlink; and

 b. displaying the search results set for the second user.

Gormley discloses a computer system for creating and managing a database of communication recipients, which processes queries and operates in accordance with users commands including:

- performing the further sub-steps of:

 a. activating a hyperlink to request a search result set based upon the second user's selection of the hyperlink (col. 11, lines 42-52); and

 b. displaying the search results set for the second user (col. 9, lines 29-57, col. 10, lines 64-67, col. 11, lines 1-9 and lines 42-66).

Given the teaching of Gormley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Culliss by saving queries entered by a first or second client (user) in the multi-user query library to allow a first or second client (user) to select, copy or delete any shared queries within the library to execute and retrieve the query results in a timely and efficient manner.

Cullis in view of Gormley discloses the invention substantially as claims discussed above.

However, Cullis in view of Gormley does not explicitly disclose:

- means for awarding the first user for selecting the query for sharing.

Walker discloses a method for managing communications between an expert and an end user including:

- means for awarding the first user for selecting the query for sharing (col. 21, lines 64-67, col. 22, lines 1-11 and lines 46-65, Walker discloses an expert user that shares answers with different users and each time the user is satisfied with an expert answer, the expert is awarded with an incentive for sharing answers with other users. The incentives are stored within a database in order to produced and audit trail. Therefore, Walker discloses storing information in an accounting database for awarding the first user for submitting the query for sharing).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify Cullis in view of Gormley by incorporating a database to store information to keep track of all payments/incentives awarded to user in order to produce an audit trail in a timely and efficient manner.

As per claim **10**, Culliss discloses the invention substantially as claims discussed above.

However, Culliss does not explicitly disclose:

- wherein the capturing step further comprises capturing searches made through headlines for documents.

Gormley discloses a computer system for creating and managing a database of communication recipients, which processes queries and operates in accordance with users commands including:

- wherein the capturing step further comprises capturing searches made through headlines for documents (col. 9, lines 29-57, col. 10, lines 64-67, col. 11, lines 1-9 and lines 42-66).

Given the teaching of Gormley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Culliss by saving queries entered by a first or second client (user) in the multi-user query library to allow a first or second client (user) to select, copy or delete any shared queries within the library to execute and retrieve the query results in a timely and efficient manner.

As per claim **11**, Culliss discloses:

- wherein the receiving step further includes a sub-step of validating a received query string (col. 7, lines 16-23).

As per claim **12**, Culliss in view of Gormley discloses the invention substantially as claims discussed above.

However, Culliss in view of Gormley does not explicitly disclose:

- wherein the receiving step includes a step of awarding at least one of reward and points for at least one query submission by a user.

Walker discloses a method for managing communications between an expert and an end user including:

- wherein the receiving step includes a step of awarding at least one of reward and points for at least one query submission by a user (col. 21, lines 64-67, col. 22, lines 1-11 and lines 46-65, Walker discloses an expert user that shares answers with different users and each time the user is satisfied with an expert answer, the expert is awarded with an

incentive for sharing answers with other users. The incentives are stored within a database in order to produced and audit trail. Therefore, Walker discloses storing information in an accounting database for awarding the first user for submitting the query for sharing).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify Cullis in view of Gormley by incorporating a database to store information to keep track of all payments/incentives awarded to user in order to produce an audit trail in a timely and efficient manner.

As per claim **13**, Culliss in view of Gormley discloses the invention substantially as claims discussed above.

However, Culliss in view of Gormley does not explicitly disclose:

- wherein the awarding step further comprises notifying an accounting manager of the query submission.

Walker discloses a method for managing communications between an expert and an end user including:

- wherein the awarding step further comprises notifying an accounting manager of the query submission (col. 21, lines 64-67, col. 22, lines 1-11 and lines 46-65, Walker discloses an expert user that shares answers with different users and each time the user is satisfied with an expert answer, the expert is awarded with an incentive for sharing answers with other users. The incentives are stored within a database in order to produced and audit trail. Therefore, Walker discloses storing information in an accounting database for awarding the first user for submitting the query for sharing).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify Cullis in view of Gormley by incorporating a database to store information to keep track of all payments/incentives awarded to user in order to produce an audit trail in a timely and efficient manner.

As per claim **23**, Culliss discloses the invention substantially as claims discussed above.

However, Culliss does not explicitly disclose:

- instructions for selective sharing URLs.

Gormley discloses a computer system for creating and managing a database of communication recipients, which processes queries and operates in accordance with users commands including:

- instructions for selective sharing URLs (col. 9, lines 29-57, col. 10, lines 64-67, col. 11, lines 1-9 and lines 42-66).

Given the teaching of Gormley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Culliss by saving queries entered by a first or second client (user) in the multi-user query library to allow a first or second client (user) to select, copy or delete any shared queries within the library to execute and retrieve the query results in a timely and efficient manner.

(10) Response to Argument

Appellants argued in substance that:

(a) Walker does not store information in an accounting database for awarding the [Expert] for submitting the [URL string] for sharing (independent claims 1, 14 and 22) or an accounting

database for storing information for awarding the first user for submitting the query for sharing (independent 14) [Appeal Brief 12].

In response, Applicant's argument filed has been fully considered but is not persuasive. Walker discloses an expert user that shares answers with different users and each time the user is satisfied with an expert answer, the expert is awarded with an incentive for sharing answers with other users. The incentives are stored within a database in order to produced and audit trail. Therefore, Walker discloses storing information in an accounting database for awarding the first user for submitting the query for sharing (col. 21, lines 64-67, col. 22, lines 1-11 and lines 46-65).

(b) Neither Cullis nor Gormley et al teach or suggest determining if the URL string represents a query, and if the URL string represents a query, performing the sub-steps of: storing the query...; forwarding the query...for sharing...and receiving...a selection for one of the stored queries...(independent claims 1, 14 and 22) [Appeal Brief page 14].

In response, Applicant's argument filed has been fully considered but is not persuasive. Cullis discloses a method for organizing information in which the search activity of previous users is monitored and such activity is used to organize articles for future users. The user query a search request for a URL in which information relating to the search is displayed to the user. This information includes a list of previous user search queries related to the user search query. The information related to the queries are then stored within an index and each query is given a relevancy score (col. 2, lines 40-43, col. 5, lines 22-41, lines 66-67 and col. 6, lines 1-14). Gormley discloses a user accessing the shared query library in which the can select a query from the list. The queries selected from the database maybe modified in order to conduct a new search

query to be stored in the shared access database (col. 9, lines 29-57, col. 10, lines 64-67, col. 11, lines 1-9 and lines 42-66). Therefore, Cullis and Gormley et al teach or suggest determining if the URL string represents a query, and if the URL string represents a query, performing the sub-steps of: storing the query...; forwarding the query...for sharing...and receiving...a selection for one of the stored queries...(independent claims 1, 14 and 22).

(c) The cited references do not teach or suggest receiving a query selected for sharing by a first user of a client information processing system; storing the query; storing information in an accounting database for awarding the first user for submitting the query for sharing; receiving from a second user a selection of query by the first user (independent 9) [Appeal Brief pages 15].
In response, Applicant's argument filed has been fully considered but is not persuasive.
Cullis discloses a method for organizing information in which the search activity of previous users is monitored and such activity is used to organize articles for future users. The user query a search request for a URL in which information relating to the search is displayed to the user. This information includes a list of previous user search queries related to the user search query. The information related to the queries are then stored within an index and each query is given a relevancy score (col. 2, lines 40-43, col. 5, lines 22-41, lines 66-67 and col. 6, lines 1-14). Gormley discloses a user accessing the shared query library in which the can select a query from the list. The queries selected from the database maybe modified in order to conduct a new search query to be stored in the shared access database (col. 9, lines 29-57, col. 10, lines 64-67, col. 11, lines 1-9 and lines 42-66). Therefore, Cullis and Gormley et al teach or suggest determining if the URL string represents a query, and if the URL string represents a query, performing the sub-

steps of: storing the query...; forwarding the query...for sharing...and receiving...a selection for one of the stored queries...(independent claim 9).

(d) Gormley does not show or suggest activating a hyperlink to request result set upon user selection of the hyperlink (independent claim 9) [Appeal Brief page 15].

In response, Applicant's argument filed has been fully considered but is not persuasive. Gormley discloses a shared query library in which users are able to access the queries by selecting a query stored in the database (col. 11, lines 42-52). Therefore, Gormley activating a hyperlink to request result set upon user selection of the hyperlink.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LaShonda T Jacobs
Examiner
Art Unit 2157

March 16, 2007

Conferees:

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